

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4827

IN THE MATTER OF:

Served May 6, 1996

Application of MARYLOU'S)
JANITORIAL SERVICE, INC.,)
Trading as MARYLOU'S)
TRANSPORTATION SERVICE, for a)
Certificate of Authority --)
Irregular Route Operations)

Case No. AP-96-23

By application accepted for filing May 1, 1996, Marylou's Janitorial Service, Inc., a Maryland corporation trading as Marylou's Transportation Service, seeks a certificate of authority for irregular route operations in vehicles with a seating capacity of less than 16 persons only, including the driver.

Applicant's proposed tariff contains per capita rates, including rates for transportation under the DC Medicaid program. The proposed tariff also includes group charter and transfer rates for transportation in 4-, 6-, 8-, 12-, and 15-passenger vehicles. The application discloses, however, that applicant's assets are limited to \$6,000 and one vehicle, which the application identifies as a 4-passenger jeep.

An applicant bears the burden of establishing fitness and consistency with the public interest.¹ The fitness inquiry focuses on an applicant's financial fitness, operational fitness, and regulatory compliance fitness.² To make a prima facie case of financial fitness, an applicant must show the present ability to sustain operations during the first year under WMATC authority.³ An applicant must proffer evidence that it "has secured the financing needed to implement and sustain the proposed service."⁴

We will direct applicant to file a statement explaining how applicant plans to acquire insurance and four more vehicles with only \$6,000.

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation is consistent with the public interest.

¹ In re Washington, D.C. Jitney Ass'n, Inc., No. AP-95-26, Order No. 4795 (Mar. 15, 1996).

² Id.

³ Id.

⁴ In re Washington, D.C. Jitney Ass'n, Inc., No. AP-95-26, Order No. 4665 (Sept. 12, 1995) (emphasis in original).

THEREFORE, IT IS ORDERED:

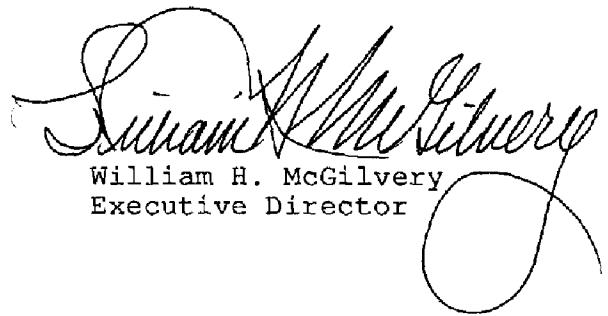
1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than May 17, 1996, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than June 7, 1996, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That applicant shall file with the Commission, no later than May 17, 1996, an original and four copies of a statement explaining how applicant plans to acquire insurance and four more vehicles with only \$6,000.

4. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is June 7, 1996, and that copies must be served on applicant's president, Mr. Leroy Garner, 6108 Old Silver Hill Road, Suite 220, Forestville, MD 20747.

FOR THE COMMISSION:



William H. McGilvery
Executive Director